

\$400

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

(1)

-----X
MALIBU MEDIA, LLC,

Plaintiff,

vs.

JOHN DOE subscriber assigned IP address
108.2.117.233,

Defendant.
-----X

13 2767
Civil Action No. _____

FILED
MAY 20 2013
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

**COMPLAINT-ACTION FOR DAMAGES FOR
PROPERTY RIGHTS INFRINGEMENT**

Plaintiff, Malibu Media, LLC, sues Defendant John Doe subscriber assigned IP address
108.2.117.233, and alleges:

Introduction

1. This matter arises under the United States Copyright Act of 1976, as amended, 17 U.S.C. §§ 101 et seq. (the "Copyright Act").
2. Defendant is a persistent online infringer of Plaintiff's copyrights. Indeed, Defendant's IP address as set forth on Exhibit A was used to illegally distribute each of the copyrighted movies set forth on Exhibit B.
3. Plaintiff is the registered owner of the copyrights set forth on Exhibit B (the "Copyrights-in-Suit.")

Jurisdiction And Venue

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338 (patents, copyrights, trademarks and unfair competition).

5. The Defendant's acts of copyright infringement occurred using an Internet Protocol address ("IP address") traced to a physical address located within this District, and therefore this Court has personal jurisdiction over the Defendant because (a) Defendant committed the tortious conduct alleged in this Complaint in this State, and (i) Defendant resides in this State and/or (ii) Defendant has engaged in substantial and not isolated business activity in this State.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) and (c), because: (i) a substantial part of the events or omissions giving rise to the claims occurred in this District; and, (ii) the Defendant resides (and therefore can be found) in this District and resides in this State; additionally, venue is proper in this District pursuant 28 U.S.C. § 1400(a) (venue for copyright cases) because each Defendant or Defendant's agent resides or may be found in this District.

Parties

7. Plaintiff, Malibu Media, LLC, is a limited liability company organized and existing under the laws of the State of California and has its principal place of business located at 409 W. Olympic Blvd., Suite 501, Los Angeles, CA, 90015.

8. Plaintiff only knows Defendant by his, her or its IP Address. Defendant's IP address is set forth on Exhibit A.

9. Defendant's Internet Service Provider can identify the Defendant.

Factual Background

I. Defendant Used the BitTorrent File Distribution Network To Infringe Plaintiff's Copyrights

10. The BitTorrent file distribution network (“BitTorrent”) is one of the most common peer-to-peer file sharing venues used for distributing large amounts of data, including, but not limited to, digital movie files.

11. BitTorrent’s popularity stems from the ability of users to directly interact with each other in order to distribute a large file without creating a heavy load on any individual source computer and/or network. The methodology of BitTorrent allows users to interact directly with each other, thus avoiding the need for intermediary host websites which are subject to DMCA take down notices and potential regulatory enforcement actions.

12. In order to distribute a large file, the BitTorrent protocol breaks a file into many small pieces called bits. Users then exchange these small bits amongst each other instead of attempting to distribute a much larger digital file.

13. After the infringer receives all of the bits of a digital media file, the infringer’s BitTorrent client software reassembles the bits so that the file may be opened and utilized.

14. Each bit of a BitTorrent file is assigned a unique cryptographic hash value.

15. The cryptographic hash value of the bit (“bit hash”) acts as that bit’s unique digital fingerprint. Every digital file has one single possible cryptographic hash value correlating to it. The BitTorrent protocol utilizes cryptographic hash values to ensure each bit is properly routed amongst BitTorrent users as they engage in file sharing.

16. The entirety of the digital media file also has a unique cryptographic hash value (“file hash”), which acts as a digital fingerprint identifying the digital media file (e.g. a movie). Once infringers complete downloading all bits which comprise a digital media file, the

BitTorrent software uses the file hash to determine that the file is complete and accurate.

17. Plaintiff's investigator, IPP Limited, established a direct TCP/IP connection with the Defendant's IP address as set forth on Exhibit A.

18. IPP Limited downloaded from Defendant one or more bits of each of the digital movie files identified by the file hashes on Exhibit A.

19. Each of the cryptographic file hashes as set forth on Exhibit A correlates to copyrighted movies owned by Plaintiff as identified on Exhibit B.

20. IPP Limited downloaded from Defendant one or more bits of each file has listed in Exhibit A. IPP Limited further downloaded a full copy of each file hash from the BitTorrent file distribution network and confirmed through independent calculation that the file hash matched what is listed on Exhibit A. IPP Limited then verified that the digital media file correlating to each file hash listed on Exhibit A contained a copy of a movie which is identical (or alternatively, strikingly similar or substantially similar) to the movie associated with that file hash on Exhibit A. At no time did IPP Limited upload Plaintiff's copyrighted content to any other BitTorrent user.

21. IPP Limited downloaded from Defendant one or more bits of each digital media file as identified by its hash value on Exhibit A. The most recent TCP/IP connection between IPP and the Defendant's IP address for each file hash listed on Exhibit A is included within the column labeled Hit Date UTC. UTC refers to Universal Time which is utilized for air traffic control as well as computer forensic purposes.

22. An overview of the Copyrights-in-Suit, including each hit date, date of first publication, registration date, and registration number issued by the United States Copyright Office is set forth on Exhibit B.

23. IPP Limited has also engaged in enhanced surveillance of other digital media files being distributed by Defendant. The results of this more intensive surveillance are outlined in Exhibit C. The Copyrights-in-Suit are solely limited to content owned by Plaintiff as outlined in Exhibit B. Exhibit C is provided for evidentiary purposes only.

24. As the subscriber in control of the IP address being used to distribute Plaintiff's copyrighted movies, Defendant is the most likely infringer. Consequently, Plaintiff hereby alleges Defendant is the infringer. Plaintiff has included as Exhibit D a solicitation of exculpatory evidence in the event that Defendant chooses to deny the allegations.

25. Defendant is the only person who can be identified as the infringer at this time.

Miscellaneous

26. All conditions precedent to bringing this action have occurred or been waived.

27. Plaintiff has retained counsel and is obligated to pay said counsel a reasonable fee for its services.

COUNT I
Direct Infringement Against Defendant

28. The allegations contained in paragraphs 1-27 are hereby re-alleged as if fully set forth herein.

29. Plaintiff is the owner of the Copyrights-in-Suit, as outlined in Exhibit B, each of which covers an original work of authorship.

30. By using BitTorrent, Defendant copied and distributed the constituent elements of each of the original works covered by the Copyrights-in-Suit.

31. Plaintiff did not authorize, permit or consent to Defendant's distribution of its works.

32. As a result of the foregoing, Defendant violated Plaintiff's exclusive right to:

- (A) Reproduce the works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;
- (B) Redistribute copies of the works to the public by sale or other transfer of ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;
- (C) Perform the copyrighted works, in violation of 17 U.S.C. §§ 106(4) and 501, by showing the works' images in any sequence and/or by making the sounds accompanying the works audible and transmitting said performance of the works, by means of a device or process, to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definitions of "perform" and "publically" perform); and
- (D) Display the copyrighted works, in violation of 17 U.S.C. §§ 106(5) and 501, by showing individual images of the works nonsequentially and transmitting said display of the works by means of a device or process to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definition of "publically" display).

33. Defendant's infringements were committed "willfully" within the meaning of 17 U.S.C. § 504(c)(2).

WHEREFORE, Plaintiff respectfully requests that the Court:

- (A) Permanently enjoin Defendant and all other persons who are in active concert or participation with Defendant from continuing to infringe Plaintiff's copyrighted works;
- (B) Order that Defendant delete and permanently remove the digital media files relating to Plaintiff's works from each of the computers under Defendant's possession, custody or control;
- (C) Order that Defendant delete and permanently remove the infringing copies of the works Defendant has on computers under Defendant's possession, custody or control;

(D) Award Plaintiff statutory damages in the amount of \$150,000 per infringed Work pursuant to 17 U.S.C. § 504-(a) and (c);

(E) Award Plaintiff its reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505; and

(F) Grant Plaintiff any other and further relief this Court deems just and proper.

DEMAND FOR A JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

FIORE & BARBER, LLC

By:



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Aman M. Barber, III, Esquire
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Email: cfiore@fiorebarber.com

ISP: Verizon FiOS

Physical Location: Collegeville, PA

Hit Date UTC	File Hash	Title
03/18/2013 16:22:42	554F315ECA9DB806CD79460F582D03880FCA3A5A	The Ultimate Blowjob
03/16/2013 17:11:09	D4910A575283A5F7686A90F4DEF9B48E85D33E71	Three for the Show
02/10/2013 15:21:06	F537201E383882F7E5536D7A372B7E2B55F04EE5	Amazing Grace
02/10/2013 15:14:34	4F3FF9E3442937E1306B25BC152C61BE6AFF6EDA	Veronika Coming Home
02/10/2013 14:53:47	75FCC3B8A30ADF28BBF215471C4A2325A61C977F	Miss Me Not
02/10/2013 14:49:22	424DC6B514FD47431F79C2A09158FB9240F381E7	Together Again
02/10/2013 14:41:21	160B65F7395BAF38DE7F33FA92A555D255C9D2E5	Working Out Together
02/10/2013 14:37:27	149B621A7854AD4251012BDA94681F3C21D72DE8	Unbelievably Beautiful
01/26/2013 12:28:28	232CF6B96D55E479F275B0CCF8CE92DDB67775AA	One Night Stand
01/26/2013 01:32:12	C7E4D1847C35F0FB4B4705A9517A11E55248615D	Yoga Master and Student

Total Statutory Claims Against Defendant: 10

EXHIBIT A

EPA139

Copyrights-In-Suit for IP Address 108.2.117.233**ISP:** Verizon FiOS**Location:** Collegeville, PA

Title	Registration Number	Date of First Publication	Registration Date	Most Recent Hit UTC
Amazing Grace	PA0001806477	09/14/2012	09/19/2012	02/10/2013
Miss Me Not	PA0001817763	12/11/2012	12/16/2012	02/10/2013
One Night Stand	PA0001794973	05/02/2012	05/02/2012	01/26/2013
The Ultimate Blowjob	PA0001776806	04/22/2011	02/21/2012	03/18/2013
Three for the Show	PA0001808630	09/24/2012	09/28/2012	03/16/2013
Together Again	PA0001819288	12/28/2012	01/01/2013	02/10/2013
Unbelievably Beautiful	PA0001805315	08/24/2012	09/10/2012	02/10/2013
Veronika Coming Home	PA0001774761	01/25/2012	02/03/2012	02/10/2013
Working Out Together	PA0001824841	01/30/2013	02/07/2013	02/10/2013
Yoga Master and Student	PA0001822651	01/18/2013	01/27/2013	01/26/2013

Total Malibu Media, LLC Copyrights Infringed: 10

EXHIBIT B

Expanded Surveillance of IP Address 108.2.117.233

ISP: Verizon FiOS

Location: Collegeville, PA

Hit Date UTC	Filename
04/29/2013	Da.Vincis.Demons.S01E03.HDTV.x264-ASAP.mp4
04/29/2013	BBC.Victoria.Woods.Nice.Cup.of.Tea.1of2.720p.HDTV.x264.AAC.MVGroup.org.mkv
04/29/2013	Da.Vincis.Demons.S01E02.HDTV.x264-ASAP.mp4
04/28/2013	The.Americans.2013.S01E12.720p.HDTV.X264-DIMENSION.mkv
04/28/2013	BSkyB.Discovering.Eric.Clapton.PDTV.x264.AAC.MVGroup.org.mp4
04/28/2013	Nurse.Jackie.S05E04.WEBRip.x264-KYR.mp4
04/28/2013	BBC.Victoria.Woods.Nice.Cup.of.Tea.2of2.720p.HDTV.x264.AAC.MVGroup.org.mkv
04/28/2013	The.Big.C.S04E01.WEBRip.x264-KYR.mp4
04/26/2013	Bob Dylan - The Original Mono Recordings 9 CD Box Set 1962-1967 (2010) Japanese Mini LP FLAC Beolab1700
04/26/2013	Bob Dylan
04/26/2013	Bob Dylan - The Bootleg Series
04/24/2013	PBS.The.Central.Park.Five.2013.720p.x264.AAC.MVGroup.org.mp4
04/24/2013	BBC.Pompeii.The.Mystery.of.the.People.Frozen.in.Time.720p.HDTV.x264.AAC.MVGroup.org.mkv
04/24/2013	The.Colbert.Report.2013.04.22.Michael.Pollan.HDTV.x264-2HD.mp4
04/24/2013	The.Daily.Show.2013.04.22.Christina.Hendricks.HDTV.x264-2HD.mp4
04/24/2013	Anthony.Bourdain.Parts.Unknown.S01E02.HDTV.x264-2HD.mp4
04/24/2013	I.Have.Seen.the.Earth.Change.Season.1.01of10.Bolivia.HDTV.x264.720p.AC3.MVGroup.org.mkv
04/24/2013	BBC.Israel.Facing.the.Future.720p.HDTV.x264.AAC.MVGroup.org.mkv
04/24/2013	Nurse.Jackie.S05E03.HDTV.x264-2HD.mp4
04/24/2013	Hemlock.Grove.S01E01.720p.WEBRip.x264-QRUS.mkv
04/24/2013	BitTorrent-EpicMealTime

EXHIBIT C

EPA139

Hit Date UTC	Filename
04/24/2013	Hemlock.Grove.S01E02.720p.WEBRip.x264-QRUS.mkv
04/24/2013	NHK.Fukushima.Two.Years.Later.576p.HDTV.x264.AAC.MVGroup.org.mkv
04/23/2013	The.Impossible.2012.DVDSCR.x264.AAC-FooKaS
04/23/2013	The.Veteran.2011.DVDRip.XviD-ICE
04/20/2013	The.Ice.Cream.Girls.1x01.HDTV.x264-FoV.mp4
04/19/2013	PBS.Independant.Lens.2013.The.House.I.Live.In.720p.HDTV.x264.AAC.MVGroup.org.mp4
04/19/2013	The.Americans.2013.S01E11.720p.HDTV.X264-DIMENSION.mkv
04/14/2013	BlowJobFridays.13.04.05.Rachel.Starr.Blow-Job.From.A.Porn-Star.XXX.720p.MP4-OHRLY[rarbg]
04/14/2013	Adorable teenage girl gives 20-minutes-long blowjob and swallowing.mp4
04/11/2013	Broadchurch.1x03.HDTV.x264-FoV.mp4
04/11/2013	The.Americans.2013.S01E10.720p.HDTV.X264-DIMENSION.mkv
04/11/2013	Broadchurch.1x05.HDTV.x264-FoV.mp4
04/11/2013	Broadchurch.S01E01.HDTV.x264-RiVER.mp4
04/11/2013	Broadchurch.1x02.HDTV.x264-FoV.mp4
04/07/2013	The.Walking.Dead.S02.720p.HDTV.x264-PublicHD.ORG
04/07/2013	The Walking Dead Season 3 Complete 720p HD [CARG]
04/06/2013	The.Americans.2013.S01E07.HDTV.x264-LOL.mp4
04/05/2013	The.Americans.2013.S01E04.HDTV.x264-LOL.mp4
04/05/2013	The.Americans.2013.S01E02.HDTV.x264-LOL.[VTV].mp4
04/05/2013	Regular Show Season 4 Eps. 1-Up To 'Caveman' {S04E1-20} Complete [AVi]
04/05/2013	The.Americans.2013.S01E09.720p.HDTV.X264-DIMENSION.mkv
04/05/2013	The.Americans.2013.S01E05.HDTV.x264-LOL.mp4
03/31/2013	ITV.Secret.Life.of.Dogs.720p.HDTV.x264.AAC.MVGroup.org.mkv
03/31/2013	BBC.Horizon.2013.How.to.Avoid.Mistakes.in.Surgery.PDTV.XviD.AC3.MVGroup.org.avi
03/31/2013	BBC.Insect.Worlds.3of3.The.Secret.to.Their.Success.PDTV.x264.AAC.MVGroup.org.mp4
03/31/2013	BBC.Project.Nim.700p.HDTV.x264.AAC.MVGroup.Forum.mkv

EXHIBIT C

EPA139

Hit Date UTC	Filename
03/31/2013	BBC.Insect.Worlds.1of3.Them.and.Us.PDTV.x264.AAC.MVGroup.org.mp4
03/31/2013	BBC.Horsemeat.Banquet.PDTV.x264.AAC.MVGroup.org.mp4
03/31/2013	The.Olive.Route.3of5.Olive.Groves.in.the.Aegean.HDTV.x264.720p.AC3.MVGroup.org.mkv
03/31/2013	BBC.Can.Eating.Insects.Save.the.World.720p.HDTV.x264.AAC.MVGroup.org.mkv
03/31/2013	The.Olive.Route.4of5.The.Olive.Tree.in.the.Holy.Land.HDTV.x264.720p.AC3.MVGroup.org.mkv
03/31/2013	A.V.I.The.Remarkable.F4U.Corsair.XviD.AC3.MVGroup.Forum.avi
03/31/2013	ITV.Perspectives.2013.The.Seven.Dwarfs.of.Auschwitz.720p.HDTV.x264.AAC.MVGroup.org.mkv
03/31/2013	Regular Show Season 3 [S03] Complete AVI.MP3 {1337x} -mortar12
03/31/2013	The.Olive.Route.1of5.In.the.Olive.Kingdom.HDTV.x264.720p.AC3.MVGroup.org.mkv
03/28/2013	Eels - Wonderful, Glorious (2013) [FLAC]
03/28/2013	Richard Wright - Broken China
03/28/2013	1993 - The Yellow Shark - Frank Zappa
03/25/2013	The Jimi Hendrix Experience - Studio Discography 1967-1969 [FLAC]
03/23/2013	Devendra Banhart - Mala (2013) [FLAC]
03/23/2013	VA-Erotic_Lounge_6_Seductive_Pearls-2CD-FLAC-2007-DeVOiD
03/23/2013	Pink Floyd - Wish You Were Here (2011 Mix) 24bit SACD FLAC Beolab1700
03/23/2013	DAVID BOWIE Ziggy Stardust (Ryko Analogue remaster) FLAC
03/23/2013	John McLaughlin - To the One (2010) [EAC-FLAC]
03/22/2013	Jimi Hendrix - People, Hell and Angels (2013) [FLAC]
03/21/2013	De Rouille et d'Os - 2012 - Alexandre Desplat
03/18/2013	Blowjob Casting.mp4
03/18/2013	POV.Blowjobs.2.XXX.DVDRiP.XviD-DivXfacTory
03/18/2013	Anastacia-Not That Kind
03/18/2013	Wheeler.Dealers.S12E03.Range.Rover.Mk3.480p.PDTV.x264-SM.mkv
03/17/2013	Wheeler.Dealers.S12E01.Aston.Martin.DB7.480p.PDTV.x264-SM.mkv
03/17/2013	Wheeler.Dealers.S12E02.Ford.Escort.Mk1.480p.PDTV.x264-SM.mkv

EXHIBIT C

Hit Date UTC	Filename
03/17/2013	Wheeler.Dealers.S12E04.Porsche.Boxster.480p.PDTV.x264-SM.mkv
03/17/2013	prnfile1784x.avi
03/16/2013	A.Late.Quartet.2012.720p.BluRay.x264-GECKOS [PublicHD]
03/16/2013	Mary and Max (2009) [1080p]
03/16/2013	x-art_kiera_seth_late_for_work_540.mp4
03/16/2013	Langt.fra.Las.Vegas.S01E03.Mia.Hundvin.DvDrip.avi
03/16/2013	Rust.and.Bone.2012.LIMITED.720p.BluRay.x264-GECKOS [PublicHD]
03/16/2013	X-Art - Three for the Show - Leila [720p].mov
03/16/2013	X-Art - Two Boys And One Girl - Beatrice [720p].wmv
03/16/2013	X-Art - Another Night - Bunny [1080p].mp4
03/16/2013	The.Tillman.Story.2010.720p.BRrip.x264.AAC.MVGroup.org.mp4
03/15/2013	Cirque.du.Soleil.Worlds.Away.2012.720p.BluRay.x264-PSYCHD [PublicHD]
03/10/2013	Wild.Belle-Isles.2013.FLAC.PERFECT
03/10/2013	BBC.Storyville.2013.Queen.of.Versailles.468p.HDTV.x264.AAC.MVGroup.org.mkv
03/10/2013	Before.My.Heart.Falls.[Avant.Que.Mon.Coeur.Bascule].2012.DVDRip.AC3.HORIZON-ArtSubs
03/10/2013	PBS.NOVA.2011.Japans.Killer.Quake.540p.x264.AAC.MVGroup.org.mp4
03/09/2013	National.Geographic.Hidden.Horrors.of.the.Moon.Landings.PDTV.x264.AAC.MVGroup.org.mp4
03/09/2013	Elisa A, Irina K - Let Me Please You.mp4
02/28/2013	Richard and Linda Thompson - First Light (1978) [FLAC]
02/28/2013	[www.Cpasbien.me] The.We.And.The.I.2012.FRENCH.BDRip.XviD-TICKETS
02/28/2013	Richard Thompson - Electric (2013) 2cd flac
02/28/2013	Nirvana - Discography 1989-2011 [FLAC]
02/26/2013	PBS.NOVA.2013.Mind.of.a.Rampage.Killer.540p.x264.AAC.MVGroup.org.mp4
02/26/2013	The.Walking.Dead.S03E11.720p.HDTV.x264-EVOLVE.mkv
02/23/2013	Portlandia.S03E10.HDTV.x264-2HD.mp4
02/23/2013	TVersityProSetup_2_3.exe

EXHIBIT C

Hit Date UTC	Filename
02/18/2013	Girls.S02E06.HDTV.x264-EVOLVE.mp4
02/18/2013	ITV.Martin.Clunes.Heavy.Horsepower.PDTV.x264.AAC.MVGroup.org.mp4
02/18/2013	The.Walking.Dead.S03E10.HDTV.x264-2HD.mp4
02/18/2013	Enlightened.S02E06.HDTV.x264-EVOLVE.mp4
02/16/2013	Portlandia.S03E09.HDTV.x264-2HD.mp4
02/10/2013	Creampie Young Girls #1.mp4
02/10/2013	x-art_baby_together_again_720.mp4
02/10/2013	X-Art - Unforgettable View Part II - Addison [1080p].mov
02/10/2013	x-art.com_Gianna_Black_Lace_Bliss_1080.mov
02/10/2013	RIX FM - Gerts fredagsfräckis
02/10/2013	x-art_kristen_working_out_together_720.wmv
02/10/2013	The World of Suzie Wong [William Holden] (1960) DVDRip Oldies
02/10/2013	Portlandia.S03E07.HDTV.x264-2HD.mp4
02/10/2013	120619.KBS2.1대100.썩나Cut.HDTV.MPEG2.1080i.WolfBoy.tp
02/10/2013	Kung.Fu.Panda.Spanish.VHS-Screener.Xvid [www.TopEstrenos.net]
02/10/2013	COH_Arc
02/10/2013	30 Minutes or Less 2011 [English] (PDVD)
02/10/2013	X-Art.12.09.13.Grace.Amazing.Grace.XXX.1080p.MOV-KTR[rbg]
02/10/2013	Portlandia.S03E08.HDTV.x264-2HD.mp4
01/28/2013	The 4-Hour Body An Uncommon Guide to Rapid Fat-Loss, Incredible Sex, and Becoming Superhuman (Pdf,Epub,Mobi) - MANTESH
01/26/2013	X-Art - Spur of the Moment - Ivy [1080p].mov
01/26/2013	TeenFilipina - Maybel __ 29 june 2012 __ HD 720.wmv
01/26/2013	Portlandia.S03E06.HDTV.x264-2HD.mp4
01/26/2013	Pathologic RIP
01/26/2013	prnfile1258x.mov

EXHIBIT C

Hit Date UTC	Filename
01/26/2013	x-art_mira_yoga_master_and_student_540.wmv
01/26/2013	Portlandia.S03E06.720p.HDTV.x264-EVOLVE.mkv
01/21/2013	Lincoln.[2012](DVDScr.H264)
01/20/2013	Portlandia.S03E05.HDTV.x264-2HD.mp4
01/20/2013	Life.of.Pi.2012.720p.TS.XViD.AC3-26k
01/20/2013	The.Colbert.Report.2013.01.17.Akhil.Reed.Amar.HDTV.x264-LMAO.[VTV].mp4
01/20/2013	Real.Time.with.Bill.Maher.2013.01.18.HDTV.x264-2HD.[VTV].mp4
01/15/2013	[Leopard-Raws] D.C.III ~Da Capo III~ - 01 RAW (MX 1280x720 x264 AAC).mp4
01/13/2013	Beasts.Of.The.Southern.Wild.2012.720p.BluRay.x264-SPARKS [PublicHD]
01/13/2013	CollegeRules - Spin the Bottle Orgy [720p].mp4
01/12/2013	Portlandia.S03E01.REPACK.HDTV.x264-2HD.mp4
01/12/2013	x-art_angelica_naughty_and_nice_1080.mov
01/12/2013	Portlandia.S03E04.HDTV.x264-2HD.mp4
01/11/2013	X-Art - Warm Inside - Susie, Clover [1080p].mov
12/03/2012	X-Art - Loving Angels - Anneli, Baby [1080p].mov
12/03/2012	Young_Legal_Porn_-_My_First_Exam_2012_1080p_WEB-DL_x264
12/03/2012	The Evens - The Odds (2012)
12/03/2012	X-Art - Heart And Soul - Connie [720p].mov
12/03/2012	X-Art - Formidable Beauty - Beatrice [1080p].mp4
12/03/2012	X-Art - Tarde Espanola - Addison [720p].mp4

EXHIBIT C

EPA139

EXCULPATORY EVIDENCE REQUEST

Subscriber Name:

Subscriber Address:

Attorney Name/Contact:

1. List all authorized users (including household members) of any IP Address assigned to the Defendant.

Authorized User Name/Relationship

A. _____

- ☐ Adult Child
- ☐ Domestic Partner
- ☐ Minor Child
- ☐ Roommate
- ☐ Spouse
- ☐ Tenant
- ☐ Unrelated adult

B. _____

- ☐ Adult Child
- ☐ Domestic Partner
- ☐ Minor Child
- ☐ Roommate
- ☐ Spouse
- ☐ Tenant
- ☐ Unrelated adult

C. _____

- ☐ Adult Child
- ☐ Domestic Partner
- ☐ Minor Child
- ☐ Roommate
- ☐ Spouse
- ☐ Tenant
- ☐ Unrelated adult

EXHIBIT D

D. _____

- ☐ Adult Child
- ☐ Domestic Partner
- ☐ Minor Child
- ☐ Roommate
- ☐ Spouse
- ☐ Tenant
- ☐ Unrelated adult

2. Has a WI-FI enabled device been used to effectuate a connection to an IP Address assigned to the Defendant?

YES NO

3. If #2 is yes, please provide make, model and serial number of all such WI-FI modems and/or routers:

4. Has a Bittorrent Client been installed on any electronic device used by the Defendant and/or other Authorized Users used to access the Internet via an IP Address assigned to the Defendant?

YES NO

5. What is the distance from the Defendant's residence to the closest neighbor?

_____ Yards.

EXHIBIT D

6. Has the Defendant and/or Authorized Users as listed in #1 above ever legally purchased Plaintiff's material or visited their website?

YES NO

7. Has the Defendant and/or Authorized Users as listed in #1 above ever visited any website containing Torrent Magnet Links?

YES NO

8. Has the Defendant and/or Authorized Users as listed in #1 above ever used Google, Bing, Yahoo or any other Internet Search Engine to search for information on Torrent files and/or websites?

YES NO

9. Has the Defendant and/or Authorized Users as listed in #1 above ever visited a streaming media site containing unauthorized copies of Plaintiff's works?

YES NO

10. Has the Defendant and/or any Authorized User as listed in #1 received a notice of copyright infringement from their Internet Service Provider, from the Center for Copyright Information, or from any other private intellectual property owner?

YES NO

Signed

Date

EXHIBIT D

EPA139